

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

JOSHUA DOUGLAS HOLDER  
TX-1333954-R

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DOCKETED COMPLAINT NO.  
09-146

AGREED FINAL ORDER

On this the 25<sup>th</sup> day of August, 2009, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Joshua Douglas Holder (Respondent).

The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

**FINDINGS OF FACT**

1. Respondent Joshua Douglas Holder is a Texas state certified residential real estate appraiser, holds certification number TX-1333954-R, and has been certified by the Board during all times material to the above-noted complaint case.
2. On or about June 27<sup>th</sup>, 2008 Respondent entered into an agreed final order in connection with complaint #08-046, which was approved by the Board. The agreed final order effectuated a thirty-six month probated revocation of Respondent's certification and that probation was contingent upon timely and full compliance with the terms of the final order.
3. Respondent was required as part of the order to: (a) complete certain remedial education; (b) pay an administrative penalty in installment payments and (c) submit quarterly logs and affidavits updating the board on the activities of his appraisal practice. Respondent has failed to timely comply with the administrative penalty and quarterly logs and affidavits components of the agreed final order.
4. On or about March 24<sup>th</sup>, 2009, the Complainant, Deloris Kraft-Longoria, filed a staff-initiated complaint with the Board. The complaint alleged that Respondent failed to comply with the agreed final order in violation of 22 TEX. ADMIN. CODE § 153.20(a)(21).
5. On or about March 25<sup>th</sup>, and April 16<sup>th</sup>, 2009, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Despite written communications advising Respondent of his obligations under the Act and TALCB rules, Respondent has failed to respond to the complaint and provide requested documentation.

6. Respondent has failed to comply with the agreed final order in complaint #08-046 entered into between Respondent and the Board on or about June 27<sup>th</sup>, 2008.

#### CONCLUSIONS OF LAW

1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.
2. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(21) by failing to comply with a final order of the Board.
3. Respondent violated 22 TEX. ADMIN. CODE §153.20(a)(2) by failing to answer inquiries and provide certain documents related to the foregoing complaint as required by 22 TEX. ADMIN. CODE § 153.22.

Based on the above findings of fact and conclusions of law, the Board ORDERS that Respondent's certification shall be and is hereby REVOKED.

Failure to timely comply with any of the terms of this Final Agreed Order shall result in initiation of a contested case proceeding against Respondent and after opportunity for a hearing, possible imposition of disciplinary sanctions against Respondent as provided for by TEX. OCC. CODE § 1103.518.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

Signed this 15<sup>th</sup> day of MAY, 2009.

  
JOSHUA DOUGLAS HOLDER


SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 15<sup>th</sup> day of May, 2009, by JOSHUA DOUGLAS HOLDER, to certify which, witness my hand and official seal.

  
Notary Public Signature

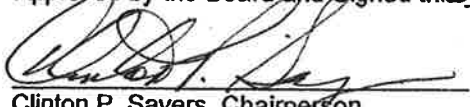


Tisha Munqua  
Notary Public's Printed Name

Signed by the Commissioner this 21<sup>st</sup> day of August, 2009.

  
Loretta DeHay, Interim Commissioner  
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 21<sup>st</sup> day of August, 2009.

  
Clinton P. Sayers, Chairperson  
Texas Appraiser Licensing and Certification Board